

SUPPORTING STATEMENT

Application to Register Permanent Residence or Adjust Status

and Supplement A to Form I-485

(Form I-485) and (Form I-485 Supplement A)

OMB No. 1615-0023

A. JUSTIFICATION.

1. Section 245 of the Immigration and Nationality Act (INA); (8 U.S.C. 1255), provides for the adjustment of status to that of permanent resident for certain aliens within the United States. Section 249 of the INA (8 U.S.C. 1259), provides for the creation of a record of admission for lawful permanent residence status for certain aliens who have been in the United States prior to a certain date. Title 8 CFR 245.2, 245.9, and 249.2, provide for the use of this application and its supplement by applicants for such benefits.
2. The data collected on these forms will be used by the U. S. Citizenship and Immigration Services (USCIS) to determine eligibility for the requested immigration benefit. The forms serve the purpose of standardizing requests for the benefits, and ensuring that basic information required to assess eligibility is provided by applicants. The applications are used by persons in the United States to apply to adjust to permanent resident status or register for permanent residence while in the United States, and may also be used by certain persons to request a change in the date their permanent residence began.
3. The use of these forms provide the most efficient means for collecting and processing the

required data. In this case the USCIS does not employ the use of information technology in collecting and processing information. Currently the USCIS does not have the automated capability in place to accept electronic submission of applications.

4. A review of the USCIS Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available that can be used for this purpose.
5. This collection of information does not have an impact on small businesses or other small entities.
6. The expiration of the forms would prevent thousands of family members from filing for adjustment of status for their spouses and minor children. This action would result in the disruption of close family members and contradict the recent Congressional action to extend the adjustment program. Without the use of these forms, eligible applicants face the possibility of falling into an illegal status, which would render them removable from the United States.
7. There are no special circumstances associated with this information collection.
8. The USCIS published a 60-day notice in the Federal Register, notified the public that it was extending this information collection, for a public comment period. No comments were received.
9. The USCIS does not provide payment or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
11. There are no questions of a sensitive nature.

12.	<u>Annual Reporting Burden:</u>	<i>I-485</i> <u>Adults</u>	<i>I-485</i> <u>Children</u>	<i>I-485</i> <u>Supp. A</u>
a.	Number of Respondents	245,975	193,941	33,112
b.	Number of Responses per each Respondent	1	1	1
c.	Total Annual Responses	245,975	193,941	33,112
d.	Hours per Response	5.25	4.5	.216
e.	Sub-Total Annual Reporting Burden	1,291,369	872,735	7,152
f.	<i>Total Annual Reporting Burden</i>			2,171,256
g.	Total Public Cost			\$ 174,004,000

Annual Reporting Burden

The total annual reporting burden is **2,171,256**. This figure is based on the number of adult respondents estimated at 245,975 with annual burden hours of 1,291,369, which is based on the stated responses at 5.25 per response; and the number of children respondents (14 years old) 193,941 with annual burden hours of 872,735, which is based on the stated responses at 4.5 per response, and 33,112 respondents of Supplement A, within annual burden hours of 7,152, which is based on 13 minutes (.216). The response time estimates include learning about the law and the forms; completing the forms; and assembling and filing the forms.

Public Cost

The estimated annual public cost is **\$ 174,004,000**. This estimate is based on the number of adult respondents (245,975) x 5.25 hours x \$10 (average hourly rate); in addition to the number of children respondents (193,941) x 4.5 hours x \$10; plus the number of Supplement A respondents (33,112) x (.216) hours multiplied by \$10 (average hourly rate). Additionally

we added the number of adult respondents (245,975) x 315, the number of children respondents (193,941) x 215, and the number of Supplement A respondents (33,112) x \$1,000.

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in item 14. However, there are fee charges associated with the filing of this information collection.

14. Annualized Cost:

a. Printing Cost	\$	371,232
b. Collection and Processing Cost	\$	151,920,208
c. Total Cost to Program	\$	152,291,440
d. Fee Charge	\$	152,291,440
e. Total Cost to Government	\$	0

Government Cost

The estimated cost of the program to the Government is calculated by using the estimated number of adult respondents (245,975) x \$315 fee, plus estimated number of children respondents (193,941) x \$215 fee, plus the estimated number of Supplement A respondents (33,112) x \$1,000 fee, (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stock, distributing and processing of these forms).

15. The total estimated burden hours are based upon a more thorough review of the process needed to complete each form: the Form I-485 for both adults and children, as well as, the Supplement A for those respondents taking advantage of section 245 of the INA. In addition

to the increase of the number of persons eligible to apply for this benefit, the continued effect of NACARA is also a factor in the increased public burden hours.

16. The USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
17. The USCIS will display the expiration date of this information collection.
18. The USCIS does not request an exception to the certification of this information collection.

See attached Item 19 of the Form OMB 83-I.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Richard A. Sloan
Director
Regulatory Management Division
U.S. Citizenship and Immigrations Services

Date